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Presentment Date: October 31, 2012

Time: 12:00 p.m.

Objections Due: October 31, 2012

Time: 11:00 a.m.

*Attorneys for Irving H. Picard, Trustee for
the Substantively Consolidated SIPA
Liquidation of Bernard L. Madoff
Investment Securities LLC and Bernard L.
Madoff*

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

No. 08-01789 (BRL)

SIPA Liquidation

(Substantively Consolidated)

**NOTICE OF PRESENTMENT OF TRUSTEE'S MOTION FOR AN ORDER
APPROVING THE RETENTION OF TRIAY STAGNETTO NEISH AS
SPECIAL COUNSEL *NUNC PRO TUNC* AS OF SEPTEMBER 11, 2012**

PLEASE TAKE NOTICE that upon the motion of Irving H. Picard, as trustee for the substantively consolidated liquidation of Bernard L. Madoff Investment Securities LLC (“BLMIS”) and Bernard L. Madoff, for authority to retain Triay Stagnetto Neish as special counsel, *nunc pro tunc* as of September 11, 2012, the undersigned will present the attached proposed order (the “Order”) to the Honorable Burton R. Lifland, United States Bankruptcy Judge, for signature and entry on **October 31, 2012 at 12:00 noon**.

PLEASE TAKE FURTHER NOTICE, that objections, if any, to the proposed Order (“Objections”), shall (i) be in writing, (ii) conform to the Federal Rules of Bankruptcy Procedure, Local Bankruptcy Rules and General Orders, (iii) specify the name of the objecting party and state with specificity the basis of the objection(s) and the specific grounds therefor, (iv) filed in accordance with the electronic filing procedures for the United States Bankruptcy Court for the Southern District of New York, with a proof of service, and a courtesy copy delivered to the Chambers of the Honorable Burton R. Lifland, One Bowling Green New York, New York 10004, (v) served upon (a) Baker & Hostetler LLP, Counsel for the Trustee, 45 Rockefeller Plaza, New York, New York 10111, Attn: David Sheehan, Esq., and (b) the Securities Investor Protection Corporation, 805 Fifteenth Street, NW, Suite 800, Washington, DC 20005, Attn: Kevin H. Bell, Esq. so as to be received no later than **11:00 a.m. on October 31, 2012**.

PLEASE TAKE FURTHER NOTICE, that in the event any Objections are timely served and filed, a hearing may be held before the Honorable Burton R. Lifland, United States Bankruptcy Judge, at a date to be scheduled by the Court, upon such additional notice as the Court may direct. The moving and objecting parties are required to attend the hearing, and failure to attend in person or by counsel may result in relief being granted or denied upon default.

PLEASE TAKE FURTHER NOTICE, that, unless Objections are timely served and
filed, the proposed Order may be signed without a hearing.

Dated: New York, New York
October 23, 2012

Respectfully submitted,

/s/ Marc Hirschfield

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Bernard L. Madoff Investment Securities LLC
and Bernard L. Madoff*